

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

WAYMO LLC,

Plaintiff,

vs.

UBER TECHNOLOGIES, INC.;
OTTOMOTTO LLC; OTTO TRUCKING
LLC,

Defendants.

CASE NO. 3:17-cv-00939-WHA

**ORDER PURSUANT TO RULE 502, FED.
R. EV.**

1 WHEREAS, the parties have agreed to exchange information about the default settings for
2 chat applications with “on” and “off the record” settings, and whether their respective litigation holds
3 in this case address those applications and settings in any way;

4 WHEREAS, the parties have also agreed that the disclosure of this information will not
5 constitute a waiver of the attorney-client privilege, work product or any other applicable privilege or
6 protection in any way for this or any other litigation, arbitration or investigation;

7 WHEREAS, the parties have also agreed that they will not argue that the “sword/shield”
8 doctrine requires further disclosure of privileged information due to the limited disclosure agreed-
9 upon herein;

10 IT IS HEREBY ORDERED, pursuant to Rule 502, Fed. R. Ev., that the disclosure described
11 herein will not operate as a waiver of any applicable privileges or protections in this litigation or any
12 other federal or state proceeding.

13 IT IS STIPULATED.

14 DATED: December 11, 2017

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16 JACQUELINE SCOTT CORLEY
17 United States Magistrate Judge
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